

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 199

SENATE BILL NO. 185

By Jackson, Marrero

Substituted for: House Bill No. 341

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 211, relative to solid waste disposal.

WHEREAS, in addition to being physically connected to some key tracts of public land, the Swan Creek Watershed is remarkable as the home of a number of rare invertebrates and plants, the most globally rare of which is the federally endangered Tennessee yellow-eyed grass; and

WHEREAS, the Swan Creek Watershed hosts one of the largest known populations of Tennessee yellow-eyed grass in the southeastern United States; and

WHEREAS, Eggert's sunflower is another globally rare plant that flourishes in the Swan Creek Watershed; and

WHEREAS, several other plants that are listed as rare in Tennessee grow in the "seep-fen" habitat of the Swan Creek Watershed, including the large-leaved grass-of-Parnassus, the Fen orchis, and the Small-headed rush; and

WHEREAS, a new species of dragonfly, the Tennessee Snaketail, has recently been described from the Swan Creek Watershed's "seep-fen" habitat, which is also particularly rare in Tennessee; and

WHEREAS, the Swan Creek Watershed provides an excellent habitat for neotropical migrant songbirds, and wetland-dependent birds such as the Great Blue Heron, Belted Kingfisher, and several duck species are dependent upon the watershed's riparian corridors; and

WHEREAS, because of the great biodiversity of the Swan Creek Watershed, the presence of several rare plants and invertebrates there, and its importance to migratory and wetland-dependent birds, it is imperative that the watershed be preserved in a pristine state and protected from ecological damage from human-derived waste; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-211-706(a), is amended by deleting the existing language in its entirety and by substituting instead the following:

(a) The provisions of this part shall not apply to any private landfill which accepts solid waste solely generated by its owner if such waste is solely generated within the county subject to the provisions of this part and if such private landfill does not accept county or municipal solid waste or ordinary household garbage.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 30, 2009



RON RAMSEY
SPEAKER OF THE SENATE



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 13th day of May 2009



PHIL BREDESEN, GOVERNOR